

REMARKS

Applicants have carefully reviewed and considered the Final Office Action mailed on October 23, 2009 (hereafter "Office Action") and the references cited therein. Applicants have amended independent claims 1, 8 and 14 in view of the telephonic interview held on January 25, 2010. Applicants believe these amendments reflect the substance of that interview. No new matter is added by these amendments. Applicants previously canceled claim 5. Applicants have not added any new claims. Accordingly, claims 1-4 and 6-19 remain pending in the application, of which claims 1, 8 and 14 are independent.

Claim Rejections – 35 U.S.C. § 103

In the Office Action, claims 1, 4, 7, 8, 11, 12, 14, 17 and 18 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Publication to 2003/0169734 to Lu et al. (hereafter “Lu”) in view of U.S. Patent 6,621,818 to Szczepanek et al. (hereafter “Szczepanek”); claims 2, 9 and 15 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Lu and Szczepanek in view of U.S. Patent 6,111,874 to Kerstein; claims 3, 10 and 16 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Lu and Szczepanek in view of U.S. Patent Publication 200/0037006 to Sampath et al. (hereafter “Sampath”); and claims 6, 13 and 19 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Lu and Szczepanek in view of U.S. Patent 6,094,434 to Kotzur et al. (hereafter “Kotzur”). Applicants respectfully address these rejections.

In order to establish a *prima facie* showing of obviousness (unpatentability) based on multiple references it must be demonstrated that the prior art, when properly combined, discloses every element of the rejected claims. Applicants respectfully submit that Lu in view of Szczepanek does not render independent claims 1, 8 and 14, as amended, obvious, because those documents, alone or in combination, fail to disclose every element of the independent claims, as discussed below. Further, by virtue of claim dependency, dependent claims 2-4 and 6, which depend from claim 1, dependent claims 9-11 and 13, which depend from claim 8, and dependent claims 15-17 and 19, which depend from claim 14, are also not obvious over Lu and Szczepanek, alone or in combination with Kerstein, Sampath and/or Kotzur, because Kerstein, Sampath and Kotzur do not compensate for the deficiencies of Lu and Szczepanek and are not cited as such.

Claim 1, as amended, recites:

A method of handling datagrams in a network device coupled to other network devices, the method comprising:

receiving an incoming datagram at a port of the network device;

determining an egress port for the incoming datagram based on a destination address contained in the incoming datagram and a lookup of an address resolution lookup (ARL) table;

performing a lookup of the ARL table based on a source address contained in the incoming datagram to determine whether the source address has been learned previously;

writing an entry into the ARL table when the source address has not been learned previously;

determining whether the other network devices have learned the source address when the source address has been learned previously; and when it is determined that the other network devices have not learned the source address:

 sending, by the network device, a learning message with the source address to the other network devices; and

 re-sending, by the network device, the learning message to the other network devices until the learning message is returned to the network device from one of the other network devices.

Claim 1 is directed to a method of handling datagrams in a network device coupled to other network devices. The method of claim 1 includes receiving an incoming datagram at a port of the network device. The method of claim 1 also includes determining whether the other network devices have learned a source address of the datagram when the source address has been learned previously by the network device. In the method of claim 1, when it is determined that the other network devices have not learned the source address, the method includes (1) sending, by the network device, a learning message with the source address to the other network devices; and (2) re-sending, by the network device, the learning message to the other network devices until the learning message is returned to the network device from one of the other network devices.

In the Examiner's Interview Summary mailed on February 3, 2010, it was asserted that alternative claim language was discussed in the interview, but no specific agreement was reached as to claim language that would place the application in condition for allowance. While Applicants agree with this assertion, Applicants also respectfully submit that, in the interview, an agreement was reached in principle that the art of record (Lu in view of Szczepanek) does not disclose the approach recited in claim 1, as amended. Specifically, neither Lu nor Szczepanek disclose or describe an approach that includes, when a source address has been previously learned by a network device, sending, by the network device, a learning message with the source address to other network devices coupled with the network device; **AND** re-sending, by the network device, the learning message to the other network devices until the learning message is returned to the network device from one of the other network devices. In fact, Szczepanek teaches away from such approach as that patent only discloses a single instance of sending out an unknown packet for learning a new local port. *See* Szczepanek, FIG. 8a, column 14, line 46 –

column 18, line 61. Therefore, Lu in view of Szczepanek fails to render claim 1 obvious on at least this basis.

The approach of claim 1 is advantageous over the approach of Lu in view of Szczepanek in that re-sending a learning message will provide for learning of source addresses by associated network devices in situations where an earlier instance of the learning message may be dropped or lost. By re-sending the learning message, inefficiencies resulting from an earlier instance of the learning message being dropped or lost may be overcome.

Based on the foregoing, the rejection of claim 1 is improper as Lu, alone or in combination with Szczepanek, fails to disclose each and every element of claim 1. Further, independent claims 8 and 14 included similar limitations as those discussed above with respect to claim 1. Accordingly, claims 8 and 14 are also not rendered obvious by Lu, alone or in combination with Szczepanek on at least the same basis as claim 1. Accordingly, Applicants respectfully request that the rejection of claims 1, 8 and 14 be withdrawn.

By virtue of claim dependency, claims 4 and 7, which depend from claim 1; claims 11 and 12, which depend from claim 8; and claims 17 and 18, which depend from claim 14, are also not rendered obvious by Lu, alone or in combination with Szczepanek, on at least the same basis as claim 1. Therefore, Applicants respectfully request that the rejection of claims 4, 7, 11, 12, 17 and 18 be withdrawn.

Also by virtue of claim dependency, claims 2, 3 and 6, which depend from claim 1; claims 9, 10 and 13, which depend from claim 8; and claims 15, 16 and 19, which depend from claim 14, are not rendered obvious by Lu and Szczepanek, alone or in combination with Kerstein, Sampath and/or Kotzur, because Kerstein, Sampath and Kotzur do not compensate for the deficiencies of Lu and Szczepanek discussed above, and are not cited as such. Accordingly, Applicants respectfully request that the rejections of claims 2, 3, 6, 9, 10, 13, 15, 16 and 19 be withdrawn.

Conclusion

Applicants believe that all the pending claims in the Application are in condition for allowance and respectfully request notification of such allowance. The Examiner may telephone Applicants' attorney (360-930-3533) to facilitate prosecution of this application.

If necessary, please charge any required fees or credit overpayment to Deposit Account No. 50-3521.

Respectfully submitted,

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